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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,774	10/18/2004	Wang Han Yap	B-5555PCT 622252-9	6599

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EXAMINER

GIRARDI, VANESSA MARY

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AME

Office Action Summary

Application No.

10/511,774

Applicant(s)

YAP, WANG HAN

Examiner

Vanessa Girardi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/06/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prazoff (US 6,077,109). Prazoff discloses an extension socket device, electrically equipped with a plurality of socket units **20** a cord storage and dispensing system, comprising a housing body **10** formed by two hollow parts **113**, **51**, an electrical plug **30** and an extension cord **40** wherein the larger hollow part **51** of the housing body **10** comprises a top wall **111**; a smaller hollow part **11** comprises an endless intermediate wall **113** and a bottom wall **112** wherein the smaller hollow part **11** contains a working enclosure defining a working space for the wiring mechanism of the socket units **20**, is characterized in that a receiving track **53** of predetermined space is formed between the walls of the larger hollow part **51** and the endless intermediate wall of the smaller hollow part **113** when assembled, and the receiving track has an opening adjacent the bottom wall of the smaller hollow part; and a flexible retainer means **54** is provided along the opening of the receiving track whereby the extension cord **40** of predetermined length can be fully retracted into the receiving track **53**.

3. Prazoff does not disclose the extension socket device as having end walls and side walls because the Prazoff housing body is elliptical whereas the applicant describes a substantially rectangular housing body. Given the absence of any disclosure regarding criticality of the shape of the housing body **10** giving rise to new, useful

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unintended results it appears the invention would perform equally well given any convex geometry for the housing body. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the geometry of the housing body as warranted by practical use.

4. Prazoff also lacks a plurality of flexible retainer means instead, discloses a single flexible retainer means **54**. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a plurality of flexible retaining means for the purpose of more securely storing the extraneous cord length, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8 (CA7 1977).

5. Lastly, the applicant recites the relationship between the receiving track and an extension cord of "predetermined length" without specifying the length. The Prazoff reference shows in Fig. 3 where a length of cord one-third the length depicted would result in a single file configuration within the receiving track. Therefore, Prazoff is seen as having met the claimed limitation.

6. With respect to claim 3: Prazoff discloses substantially the claimed invention as stated above wherein each flexible retainer means **54** takes the form of an inverted L-shaped element provided along the bottom edge of the smaller hollow part **11** wherein a horizontal arm of each L-shaped element covers partially the opening of the receiving track **53**. The horizontal projection of the Prazoff flexible retainer means **54** is affixed to the bottom of the smaller hollow part wherein the endless wall of the smaller hollow part is perpendicular to the horizon projection, taken as a whole, is thus "L" shaped.

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7. With respect to claim 4: Prazoff further discloses the receiving track **53** and the flexible retainer means **54**.

8. With respect to claim 5: Prazoff discloses substantially the claimed invention as stated above. However, Prazoff does not depict the flexible retainer means **54** as an integrally molded structural feature of the smaller hollow part **11** of the housing body **10**. *In re Lockhart*, 38 CCPA 1195, 190 F.2d 208, 90 USPQ 214, applies to the present situation. Therein this court found claims to a three-piece hypodermic syringe unpatentable. The syringe disclosed in that application was composed of a metal holder, a cylindrical ampule containing a medicament, and a hollow needle. The prior art showed a hypodermic syringe similar to applicant's syringe. However, the tubular body, the thrust portion, and the needle mount, which were integral in applicant's structure, were all separate in the prior art structure. Applicant appeared not to deny that the different elements found in the appealed claims were found in the references. However it was contended that the integral combination of those elements was not found nor suggested in any of the references and that without integration of parts, it was impossible to achieve the inventive combination of applicant's structure. In that case this court did not find itself in agreement with applicant's argument and stated, 90 USPQ at 216:

*** Although it is true that invention may be present under some circumstances in making integral, that which was separate before, we do not feel that such is the case here. Improved results only will not take the case out of the general rule. There is also a requirement that the unification or integration involve more than mere mechanical skill. ***

9. The integration of the flexible retaining means and the smaller hollow part is a matter of mechanical skill that would have been obvious to one having ordinary skill in the art at the time the invention was made for the purpose of simplifying manufacture.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanessa Girardi: telephone number (571) 272-5924.

Mon - Fri 8 a.m. to 4:30 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext. 33.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VG
May 25, 2005


RENEE LUEBKE
PRIMARY EXAMINER